

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAN AMERICAN AIRWAYS CORP.,

Plaintiff/Counter-Defendant

v.

ROBERT E. BARNES

Defendant/Counter-Plaintiff

Case No. 04-CV-10515JLT

**DEFENDANT'S MOTION IN OPPOSITION TO PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT OF COUNTS I THROUGH IV OF DEFENDANT'S
COUNTERCLAIMS.**

Pursuant to this Courts order entered on May 16th 2005, Defendant Robert E. Barnes hereby and herein moves this Respected and Honorable Court, to dismiss Plaintiff's motion for partial summary judgment.

In support of this motion the defendant hereby and forthwith submits a Memorandum of Law and a Statement of Facts in Dispute.

Pursuant to Local Rule 7.1(A)(2) counsel hereby certifies that he and counsel for the Plaintiff/Counter-Defendant have conferred and attempted in good faith to resolve or narrow the issue.

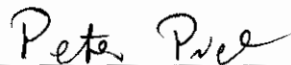
Defendant Robert E. Barnes
By his attorney,

Peter Piel

Peter Piel
Law Office of Peter Piel
800 Turnpike Street, Suite 300
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Certificate of Service

I, Peter Piel, hereby certify that a true copy of the above document was served upon Robert Culliford, the attorney of record for the plaintiff, by U.S. mail, postage prepaid on this 22nd day of July 2005.

A handwritten signature in cursive script that reads "Peter Piel". The signature is written in dark ink and is positioned above a horizontal line.

Peter Piel
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